

**THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CRIMINAL CASE NO. 1:08-cr-00079-MR-DLH-3**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

BARRY LEE SANDERS, JR.,

Defendant.

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ORDER

THIS MATTER is before the Court on the Defendant's filing entitled "Petition: requesting documents," which the Court construes as a motion for copies of transcripts and other pleadings. [Doc. 229].

In his motion, the Defendants requests that the Court provide at the Government's expense copies of "all charging documents, plea transcripts, and his entire Pretrial Sentence Investigation Report; said charging documents dating back to 2008." [Doc. 229].

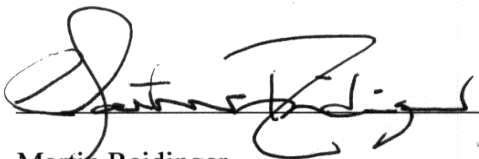
The Defendant has failed to demonstrate a particularized need for the requested pleadings. See United States v. MacCollom, 426 U.S. 317, 326-27 (1976) (holding that federal inmates are not entitled to transcripts at Government expense absent some showing of a particularized need); Jones v. Superintendent, Va. State Farm, 460 F.2d 150, 152 (4th Cir. 1972) ("[A]n

indigent is not entitled to a transcript at government expense without a showing of the need, merely to comb the record in the hope of discovering some flaw.”) (citation omitted); United States v. Velasquez, No. 5:10-CR-00042, 2012 WL 3307264, at 1 (W.D.N.C. Aug. 13, 2012) (Voorhees, J.) (holding that a copy of presentence report may be obtained from the district court only upon a showing of particularized need) (citing United States v. Williams, No. 88-7340, 1989 WL 152422, at *2 (4th Cir. Dec. 11, 1989). While there is a petition for revocation of supervised release pending against the Defendant [Doc. 227], he has failed to explain how the requested pleadings are needed in relation to that charge. Having failed to demonstrate a particularized need for the requested pleadings, the Defendant’s motion must be denied.

IT IS, THEREFORE, ORDERED that the Defendant’s filing entitled “Petition: requesting documents” [Doc. 229], which the Court construes as a motion for copies of transcripts and other pleadings, is hereby **DENIED**.

IT IS SO ORDERED.

Signed: December 15, 2016


Martin Reidinger
United States District Judge

